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Provisional

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Monday, 29 November 2004, 10 a.m.

New York

President:	Mr. Danforth/Mrs. Patterson	(United States of America)
Members:	Algeria	Mr. Baali
	Angola	Mr. Gaspar Martins
	Benin	Mr. Zinsou
	Brazil	Mr. Valle
	Chile	Mr. Muñoz
	China	Mr. Zhang Yishan
	France	Mr. Duclos
	Germany	Mr. Pleuger
	Pakistan	Mr. Khalid
	Philippines	Mr. Baja
	Romania	Mr. Motoc
	Russian Federation	Mr. Denisov
	Spain	Mr. Yáñez-Barnuevo
	United Kingdom of Great Britain and Northern Ireland	Sir Emyr Jones Parry

Agenda

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/907)

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04-62523 (E)

The meeting was called to order at 10.55 a.m.

Adoption of the agenda

The agenda was adopted.

Security Council resolutions 1160 (1998), 1199 (1998), 1203 (1998), 1239 (1999) and 1244 (1999)

Report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/907)

The President: I should like to inform the Council that I have received letters from the representatives of Albania, Japan, the Netherlands, Norway, Serbia and Montenegro and Switzerland, in which they request to be invited to participate in the discussion of the item on the Council's agenda. In accordance with the usual practice, I propose, with the consent of the Council, to invite those representatives to participate in the discussion without the right to vote, in accordance with the relevant provisions of the Charter and rule 37 of the Council's provisional rules of procedure.

There being no objection, it is so decided.

At the invitation of the President, Mr. Ćović (Serbia and Montenegro) took a seat at the Council table; the representatives of the other aforementioned countries took the seats reserved for them at the side of the Council Chamber.

The President: In accordance with the usual practice and in the absence of objection, I shall take it that the Security Council agrees to extend an invitation under rule 39 of its provisional rules of procedure to the Special Representative of the Secretary-General, the head of the United Nations Interim Administration Mission in Kosovo.

There being no objection, it is so decided.

At the invitation of the President, Mr. Jessen-Petersen took a seat at the Council table.

The President: The Security Council will now begin its consideration of the item on its agenda.

The Council is meeting in accordance with the understanding reached in its prior consultations. Members of the Council have before them the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (S/2004/907). At this meeting the Security Council will hear a briefing by the Special Representative of the Secretary-General and head of the United Nations Interim Administration Mission in Kosovo. I now give him the floor.

Mr. Jessen-Petersen: Mr. President, thank you for giving me this opportunity. I am very pleased to address the Security Council three and a half months after beginning my mission in Kosovo.

When I arrived in Priština on 15 August, I expressed my belief that there could be no normalization and no stabilization in the Western Balkans without a resolution of the Kosovo issue. I am more than ever convinced of this. I outlined the following five mission priorities at the start: security as the basis of all action; prioritizing standards and accelerating their implementation; further transfer of competencies to the Provisional Institutions of Self-Government with increased capacity-building, but also accompanied by greater accountability; protection of minorities, including freedom of movement and returns of displaced persons, as key components of the standards; and, finally, moving aggressively on the economy, an overarching priority.

Guided by the recommendations in Ambassador Eide's report and based on meetings the Secretary-General had with the Contact Group last September, we have agreed on a way forward in implementing the five priorities. Let me say a few words about each of them.

First, on security, the violence last March showed just how fragile the security environment in Kosovo can be. Since then, the security situation has improved significantly. The last eight months have seen only one serious ethnic-related incident. The recent election campaign, and election day itself, were peaceful. Cooperation with the Kosovo Force (KFOR) is excellent. There is close coordination between the United Nations Interim Administration Mission in Kosovo (UNMIK) police, the Kosovo Police Service, and KFOR at all levels. Command, control, communications and liaison arrangements have been strengthened, including the establishment of joint operations centres. The Kosovo Police Service now has its own special unit to respond to unrest, in addition to the three United Nations special police units already deployed.

We are also addressing security through various consultative mechanisms. The Kosovo Security

Advisory Group, established last July, brings together representatives of all communities to build confidence; we very much hope that the Kosovo Serbs will soon rejoin the Group. We have also established local crime prevention councils in all municipalities, bringing together all ethnic communities and international representatives in order to tackle security issues at the grass-roots level.

Finally, concerning the presence of the Kosovo Force (KFOR), I would like to add that I appealed to NATO ambassadors in an address on 10 November to stay the course and maintain the current force size. We are entering a crucial phase in Kosovo, and it is more than ever essential that we closely synchronize our political strategy with the right level of military preparedness and ability to respond.

I now turn to standards. Standards remain the central plank of the international community's policy in Kosovo. At the same time, it is — and must be — the overriding priority of the new Government to implement standards prior to the planned formal assessment of progress in the middle of next year. As members are aware, UNMIK is now assessing Kosovo's progress in quarterly technical reviews annexed to the political reports of the Secretary-General. Our first assessment — covering the period through September of this year — shows that, although progress has been made in some areas, it has been uneven, and that there is still much work ahead for the Provisional Institutions of Self-Government.

Achieving progress on all eight standards remains our basic policy. At the same time, against the planned timeline of a review in mid-2005, one cannot expect the more than 400 detailed indicators laid out in the Standards Implementation Plan to be fulfilled. But one can expect — and one must demand — real progress in the implementation of those standards that together contribute most to the establishment of a multi-ethnic Kosovo.

Therefore, in agreement with the Secretary-General and with the support of the Contact Group, I am placing particular emphasis on key priorities in the areas of the rule of law, freedom of movement, returns of displaced persons, functioning local institutions and security. We are addressing issues on which Kosovo failed in March, and we are insisting that significant progress be made on them by mid-2005 at the latest. Clear criteria, measurable indicators and joint UNMIK-Provisional Institutions working groups are now in place. Progress is achievable, and I believe that a determined new Government could achieve it in the time available.

We have also moved forward on the further transfer of competencies to the Provisional Institutions of Self-Government. I recently agreed to establish three new ministries: one on returns and communities, one on energy and mining, and one on local self-government. That is in line with our strategy that all competencies not directly involving sovereignty should be transferred as soon as possible. I intend to go ahead with further transfers, notably in the area of the economy and also, in due course, in areas linked to justice and security.

The transfer of competencies must be accompanied by more effective capacity-building. To that end, we are re-energizing donor efforts to help the Provisional Institutions of Self-Government to build capacity. In a recent meeting, the Provisional Institutions and donors agreed to work together on a comprehensive strategy and implementation plan to ensure that we not only identify, but also address, gaps in capacity at the central and municipal levels. The transfer of competencies must also be accompanied by greater accountability on the part of the Provisional Institutions. To that end, I have been looking closely at my powers to intervene and, as necessary, to impose sanctions. Allow me to come back to that subject in a few minutes.

A vital aspect of our work revolves around protecting the rights of minority communities, which is now the main focus of the standards. The authorities must ensure that all communities feel safe and secure and that they are able to live normal lives, free of fear and intimidation.

One key way of reaching out to the communities is through decentralization or reform of local government to form a basis for the successful integration of Kosovo's minority communities into the fabric of society. With the assistance of UNMIK, a Provisional Institutions working group, with the participation of Kosovo Serbs and with the support of the Council of Europe, formulated a decentralization plan during the summer. It is a practical programme aimed at building links between local authorities and citizens, giving all citizens equal access to all rights.

Let me be clear: territorial division is neither desirable in principle nor workable in a relatively small territory where only one third of the Kosovo Serb population is concentrated north of the Ibar River and the remaining two thirds is scattered across the rest of Kosovo, mostly in rural areas. However, it is exactly because of their isolated and exposed locations that their security, as well as their economic and social rights, must be ensured through the plan on meaningful self-government developed by the working group in Kosovo.

We have also, in agreement with the Provisional Institutions of Self-Government, invited Belgrade to provide advisory support for the meetings of the working group as well as elements from a plan developed in Belgrade that could enrich the Provisional Institutions decentralization plan. The working group met just last Tuesday to work on the criteria for pilot projects. We are moving forward, and I very much hope that the Kosovo Serbs will join. It is in their direct interest to participate, and it is in our interest that they do so.

Dialogue at various levels is key. I hope that, in addition to the principal Pristina-based dialogue between Kosovo's majority and minority communities, we can resume and reinforce the direct dialogue between Pristina and Belgrade. I have visited Belgrade twice since assuming office, and I have had good, constructive talks. We now need to move forward on direct dialogue. The four working groups established by my predecessor one year ago are dormant, and we are looking into ways in which to resuscitate them.

Most important, we must make progress on the issue of missing persons. I recently suggested to Prime Minister Kostunica that we restart the dialogue on missing persons under the auspices of the International Committee of the Red Cross, and I very much hope for a positive reply. Not moving forward on that issue or linking it to other issues would mean adding further pain to the agonies of the families of missing persons, who have a right to know as soon as possible what has happened to their loved ones. Too much time has already passed by with respect to that unbearable uncertainty.

While I am speaking about dialogue, let me underline the importance of maintaining a regular dialogue with the region. I have already visited Tirana, Skopje and Podgorica, and I will continue that regional dialogue.

Let me now address returns of displaced persons. Improved security and freedom of movement are the pivotal factors for accelerating the return of displaced persons to Kosovo. UNMIK and KFOR are now better positioned to provide protection, but only Kosovo Albanian leaders and Kosovo society can and must effectively dispel the need for such protection and create true security.

We have revisited our returns strategy, and we are looking at a combination of more specific initiatives on security and freedom of movement; incentives or disincentives for cooperative or obstructive officials, respectively; and more targeted use of sanctions. If action is taken, this spring could see a significant increase in returns. The Provisional Institutions of Self-Government are aware that, without such progress, one of the key priority standards will remain unmet. The progress made in recent weeks demonstrates that returns can move forward, even in relatively difficult areas where local authorities have moved from obstruction to support of returns. Although the March violence marked a huge setback, work intended to begin last spring is now moving forward in a number of areas in Kosovo.

Let me say few words on reconstruction following the March riots. The Provisional Institutions immediately recognized their responsibility to reconstruct damaged or destroyed property and set up a commission that has made substantial progress. Work on the majority of the more than 900 affected homes has been completed. However, more than 2,000 people who were displaced in March have not yet returned to their reconstructed homes.

The momentum we saw in August and September slowed in the period leading up to elections and afterwards. The new Government must immediately focus on completing the unfinished work.

The Government's obligation to reconstruct extends also to religious sites. Assessments have been carried out in cooperation with the Council of Europe. The Provisional Institutions have allocated €3.7 million from the Kosovo Consolidated Budget, and I have allocated €500,000 for immediate reconstruction on all 35 religious sites. More money could be made available. However, a disagreement with the Orthodox Church over the tendering process and its withdrawal

from the implementation commission have temporarily halted reconstruction of church property.

Prosecution of crimes related to the March riots has also proceeded. More than 270 persons have been arrested for criminal acts related to the riots, and both international and local prosecutors are handling the cases. A number of indictments are being or will be filed, and some verdicts have been rendered. The judicial process will be pursued rigorously to make sure that no crime goes unpunished.

The very bad economic situation, which is the Mission's fifth and overarching priority, is possibly the biggest threat to stability and reconciliation. At the same time, the bad economic situation is the most obvious consequence of the lack of certainty on the issue of status. Work has been under way for some time to elaborate a national economic development plan. This work must and will be accelerated. I expect the European Union to play an increasingly active role in that effort.

While we work on longer-term measures to improve the economy, we have undertaken short-term efforts to address joblessness. Last August, UNMIK, the United Nations Development Programme and the Provisional Institutions launched an employment project aimed at creating jobs and encouraging employers to hire more young people in the short term, thus improving social conditions. We hope to build on that initiative by working on other employment-related quick-impact projects at the municipal level.

Meanwhile, we must move on privatization now in order to stimulate the economy. As noted in the technical assessment, the privatization process has moved forward in line with the objective of completing the process by mid- to late 2006. However, outstanding legal issues remain, and illegal seizure of socially owned enterprise land by municipalities is an ongoing problem. We still have blockages due to unclear ownership issues. We are, however, close to finding a possible solution that would ensure that privatization goes ahead without delay.

Let me come back now to a subject I mentioned earlier. I am closely examining how I can help to ensure progress in implementing standards by actively enforcing accountability. UNMIK is prepared to deal with officials — at both the central and municipal levels — who fail to carry out their duties responsibly or who block attempts to make improvements in key areas. Those areas include, but are not limited to, minority rights, freedom of movement, the return of displaced persons, equal provision of services, responsible media and security.

There are a number of tools and measures at my disposal, based on Security Council resolution 1244 (1999), to help ensure compliance. The use of disciplinary measures must, of course, be commensurate with offences and employed only as a last resort. The Government has a primary responsibility here in taking all measures to ensure progress. I hope therefore that I will not need to use sanctions, but I am fully prepared to do so in the interests of progress towards standards and status in Kosovo. Such sanctions would be applied regardless of party affiliation and regardless of ethnicity.

Let me turn finally to the recent developments linked to the Assembly elections of 23 October — elections which were determined to be free and fair by the Council of Europe observation mission. The elections were also monitored by over 13,000 local observers from political entities and non-governmental organizations representing all communities in such a way as to ensure transparency and acceptance of the results.

The elections were conducted with considerable success and for the first time by a local body, the Central Election Commission, under the oversight of UNMIK's Democratization Pillar, and were managed by the Organization for Security and Cooperation in Europe. No significant incidents of a political or security nature interrupted polling, which generally took place in a completely safe and secure environment that allowed people to vote freely.

While the overall turnout was good, I regret very much the disappointingly low turnout of the Kosovo Serbs. Certainly, many of the Kosovo Serbs are dissatisfied with their living conditions, including inadequate freedom of movement and concerns about security and the economic situation. It is also true that Kosovo Serb politicians registered late, following the much appreciated call to participate by President Tadic of Serbia, and therefore they had very little time to mobilize voters. Belgrade was divided, and there were calls by leading authorities in the Serbian Government and the Serbian Orthodox Church for a boycott. Another reason for the low turnout was intimidation

and antidemocratic pressure not to vote, with the resulting fear of retribution.

Following the elections, I urged the parties to proceed with all speed in constituting the Assembly and forming a new Government. I also urged all parties to reach out to improve the living conditions of the Kosovo Serbs as a necessary first act once the new Government was formed.

Although it might well have been preferable at this stage to have a broad coalition in place, a narrower grouping of political parties — the Democratic League of Kosovo (LDK) and the Alliance for the Future of Kosovo (AAK) — decided, in full accordance with democratic principles, to form a coalition and prepare for government. The coalition agreement, and the possible appointment of Mr. Ramush Haradinaj as Prime Minister, has raised some questions and concerns in view of continuing reports that the International Criminal Tribunal for the former Yugoslavia (ICTY) is pursuing a case related to him. However, the international community has supported my decision not to intervene or block the democratic process. Indeed, what we are seeing right now is democracy at work. If the ICTY proceeds with its case against Mr. Haradinaj, I trust it will be based, in accordance with its mandate and responsibility, on justice. And should this occur, I am confident that Kosovo will show the world and the region an example of compliance with the judiciary process, just as they have shown respect for democracy.

Meanwhile, I am continuing consultations to ensure the establishment of functional institutions capable of implementing standards with the necessary speed and of the necessary quality. We are looking closely at the coalition's programme and its list of proposed ministers. We need to help ensure that the new Government is as capable as possible of tackling the difficult tasks ahead.

Kosovo will for the first time also have a strong parliamentary opposition. I trust that the opposition, when playing its legitimate and democratic role, will show mature political judgement in the interest of Kosovo's move towards a review of standards and status talks.

I hope it is clear from all I have said that we face a challenging and at times difficult way ahead in Kosovo. Over the last four months, we have taken significant steps forward in close partnership with the Provisional Institutions of Self-Government, in dialogue with Belgrade and with strong support from the Contact Group and from our partnership with the European Union, the Organization for Security and Cooperation in Europe and NATO's International Security Force in Kosovo. We have developed a comprehensive, integrated strategy, a clear and consistent plan of action, and a tight — but not impossible — timetable.

After almost five years of managing a holding operation in Kosovo, we may be moving towards the end game, that is, talks on final status. The political leaders and the people of Kosovo know that only action, implementation of priority standards, and hard work will get them to that goal. In return, they will expect — and we will continue to need — strong international support. I am confident that we can count on the Security Council's full backing as we move forward.

The President: I shall now give the floor to Mr. Nebojsa Čović, President of the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija.

Mr. Čović (Serbia and Montenegro) (*spoke in Serbian; interpretation provided by the delegation*): On behalf of the Council of Ministers of Serbia and Montenegro and the Government of the Republic of Serbia, I would like to avail myself of this opportunity to extend to you assurances of the highest consideration and express pleasure for being able to take part in today's session of the Security Council on Kosovo and Metohija. Of course, I would like to extend my appreciation to Mr. Jessen-Petersen for his interesting statement.

Let me start by describing briefly the circumstances following the recent parliamentary elections in the province. I would like to remind you that only around 0.3 per cent of Kosovo and Metohija Serbs participated in the elections, after which Belgrade and the Serbian Orthodox Church were accused of undermining the multi-ethnic society in Kosovo and Metohija. Such accusations are a classic case of misconstrued truth, since Kosovo and Metohija Serbs' abstinence was not the consequence of Belgrade's public position that there were no elementary democratic conditions for the Serbs to take part in the elections. Their non-participation in the elections was the consequence of the failed efforts in

establishing and achieving the standards of a truly multi-ethnic society in the province. Simply, the position of the Serbian community in Kosovo and Metohija is such that they have no confidence whatsoever in the Provisional Institutions of Self-Government nor do they have any hope that they can realize their interests through these institutions.

The human rights of the members of the Serbian and other non-Albanian ethnic communities are still violated in Kosovo and Metohija. There is no security and freedom of movement for these communities. They are still subject to intimidation and persecution. Their property is snatched and set on fire. The only message they could hear from the Albanian political leaders before the elections was that Kosovo and Metohija would inevitably be independent and that it was up to them to decide whether they would live in an independent Kosovo and Metohija or not. Is this the way one should build confidence? Is it not one of the basic principles of a multi-ethnic democratic society that a majority ethnic community should provide protection to minorities or at least refrain from threatening them? Regrettably, this has not been the case in Kosovo and Metohija.

Let us go back briefly in time, to the period before the first elections in the province in November 2001, when Belgrade, in the spirit of good will and a constructive approach and out of the belief that all parties to the process should do their best in building a truly multi-ethnic society with equal rights for all people, encouraged Kosovo and Metohija Serbs to take part in the electoral process. After the necessary guarantees had been provided by the Common Document, signed on 5 November 2001 between the Federal Republic of Yugoslavia and the United Nations Interim Administration Mission in Kosovo (UNMIK), the Serbs took part in the elections and joined the Provisional Institutions of Self-Government. Intensive talks followed, as well as signing of a number of agreements that were to improve everyday living conditions of all citizens in Kosovo and Metohija. However, as time went by, it became clear that the Serb representatives were only window dressing in the Provisional Institutions of Self-Government, and every new Special Representative additionally ignored UNMIK's commitments made in the agreements that had been signed. Although it has continued to be treated declaratively as an active participant in the process of finding a solution to the Kosovo and Metohija problem, Belgrade has been, in fact, gradually shut out of the process, and the position of the Serbs has further deteriorated.

United Nations Interim Administration Mission in Kosovo reports have swept this situation under the carpet for months, even years. And then, the murders of Serbs in Obilic and Gorazdevac were committed, and then the violence of 17 March took place. Throughout this time, the Serbs continued to participate in the work of the Provisional Institutions with stoicism and hope that things would change. Alas, there were no results whatsoever.

Not only did the events of 17 and 18 March destroy all their hopes, but they also brought to ashes the credibility of the reports on the progress made in building the multi-ethnic Kosovo and Metohija. These events, what preceded them and what followed, forced us in Belgrade to use all possible arguments to call the Serbian community once again to participate in the elections. The 17 March violence, despite all harsh condemnations and declared determination to have everything restored to its pre-violence condition, continues even today.

A couple of days ago, eight full months had passed since the March events took place. It is late November now, the winter is here already, and more than 2,100 people are still out of their homes. Almost 500 Serbs and other non-Albanians internally displaced on 17 March still live in collective centres! Half of the houses damaged have not been reconstructed yet, not to mention the churches and the monasteries. Throughout this time, all efforts have been directed almost exclusively towards settling the consequences of the March violence. The program of the return of over 200,000 people internally displaced before 17 March has been totally neglected, partially due to UNMIK's inability to work simultaneously on both programmes, and partially because of the fact that the funds earmarked for the regular returns program have been lent to the Provisional Institutions of Self-Government to enable them to reconstruct the houses damaged on 17 March. Was it necessary to use the funds that were set aside for returns? I do not know the answer to this question. What I know is that of 1,500 families that were planned to return before 17 March, only 120 have returned.

In light of everything that has happened in Kosovo and Metohija for years, for decades, it is an

indisputable fact that it will take years, perhaps decades, to create a truly multi-ethnic society in the province. Look at Bosnia and Herzegovina, where the inter-ethnic strife before the conflict was negligible in comparison with the situation in Kosovo and Metohija; however, it took years for the people in Bosnia and Herzegovina to learn to live with each other again. Is there willingness in the international community to remain actively engaged in this problem as long as it is necessary — for 10 years, 15, or perhaps 20?

This brings us to the following questions. Do we want to solve the problem for good, in a thorough and sustainable way, or just have it formally off the agenda? Does the international community need the Serbs in the Assembly of Kosovo just as evidence that the Provisional Institutions of Self-Government are multi-ethnic? The previous three years showed that the Serbs were not able to improve the elementary living conditions by working through the institutions. Will Kosovo and Metohija Serbs, by non-participating in the elections and in the work of the Provisional Institutions, manage to draw the attention of the world to their position and prevent a positive assessment to be made of the progress achieved in the democratization process, or will a positive assessment be made in any case and the Serbs be blamed again for undermining the multi-ethnic society?

Given the reality in Kosovo and Metohija and the fact that the basic rights of the Serbs and other non-Albanians are arrogantly violated, the government of the Republic of Serbia firmly believes that the decentralization of the government in Kosovo and Metohija is the best way to secure the survival and security of the Serbs and other non-Albanians and their return to the province. Only additional and enhanced institutionalization of the position of the Serb community can guarantee the survival of the multi-ethnic character of Kosovo and Metohija. If the Serbs could autonomously decide on a number of their vital interests, their participation in the work of all other self-government institutions would be easier and more certain.

Along with the increased engagement of Belgrade in the process of harmonizing UNMIK's decentralization plan and the plan of the government of the Republic of Serbia, that is the only solution that will lead to normalization and stabilization of the overall situation in the province. And since decentralization is not a local issue, direct participation of Belgrade representatives in those talks will be the best guarantee for reaching a successful solution, with the full reconciliation of the two existing plans.

Recent statements that the countdown has already started and that the process will go on with or without Belgrade and with or without the Serbs are most disconcerting. The recommendations on the process in Kosovo and Metohija that the Secretary-General, Mr. Kofi Annan, presented to the Security Council in his report of 17 November — which reiterate the need to comply fully with Security Council resolution 1244 (1999), and the position that it is unacceptable to begin talks on the status of the province until the prescribed standards have been fully met — raise hope but are at odds with what has been going on in the field. In that context, reducing the role of Belgrade to an advisory or even an observer's role cannot be seen as a constructive approach in compliance with resolution 1244 (1999) and the Common Document, which would speed up the processes that are vital for finding a sustainable solution.

The authorities in Belgrade have showed on many occasions that they sincerely support the idea of establishing a modern, multi-ethnic society in the province and that they are willing and open to engage in cooperation with the international community and the Provisional Institutions. I would like to reiterate today that the international community has a sincere and reliable partner in Belgrade. However, cooperation is a two-way process in which both parties respect each other and in which commitments made and words given are important. Unilateral attempts to change the name of the game, failure to fulfil what has been agreed on and a one-sided approach cannot be considered cooperation. Of course, any solution can be forced on all parties, and I will not attempt to deny it. But a solution made without the active participation of Belgrade would not be sustainable because it would only sweep the problem of the security and the stability of the region under the carpet for a brief period of time. That brings me back to the question I have asked already: do we want to solve the problem for good, in a thorough and sustainable way, or just have it formally off the agenda?

Mr. Baali (Algeria) (*spoke in French*): At the outset, I thank Mr. Søren Jessen-Petersen for his excellent presentation to the Security Council and commend him for the work he has accomplished on the ground since his appointment to head the United

Nations Interim Administration Mission in Kosovo. I would also like to thank Mr. Nebojsa Ović for his statement.

The briefing by the Special Representative of the Secretary-General enables the Council to assess progress made towards stabilization and normalization of the situation in Kosovo as well as towards confidence-building and the reconstruction of property damaged or destroyed during the deplorable events of last March.

I would recall that the international community's prompt reaction to those tragic events and the combined efforts of the various parties involved made it possible to prevent setbacks that could have jeopardized the peace process in the region. The commitment of Kosovar leaders to speedily completing reconstruction of damaged property and social and educational infrastructure and to relaunching the process of the return of displaced persons, in addition to the progress made in the reform of local administration, are signs of the positive developments in Kosovo and mark the beginning of a process of détente that heralds an improvement in the situation in the interest of all. Such measures are conducive to consolidating the society of Kosovo and preventing deplorable clashes between ethnic groups from occurring again. They will also surely create conditions of security and will have a positive impact on the process of the sustainable return of displaced persons and on freedom of movement.

In that context, my delegation welcomes the calm and peaceful holding of the legislative elections of 23 October and the creation of the coalition government. Those two major events mark a turning point in the consolidation and stabilization of local provisional institutions. However, we regret that the Serb population did not participate in the electoral process. Once again, we reiterate our appeal to all parties to participate fully in the efforts to build confidence, strengthen ties and promote reconciliation among all Kosovars.

That progress is, of course, significant, but in no way should it obscure the local day-to-day situation, which remains difficult because of the lack of notable change or visible signs of the various parties' implementation of their commitments, especially in the eyes of the local population.

An economically viable, democratic, tolerant and multi-ethnic Kosovo remains our primary objective. That inevitably requires sustained efforts, the participation of all and the full implementation of resolution 1244 (1999).

The international community must also create all the conditions for the comprehensive, speedy and successful implementation of the standards in order to proceed as quickly as possible to the consideration and realization of the fundamental question of the final status of Kosovo.

In that context, I commend Ambassador Kai Eide for his outstanding work in assessing the situation in Kosovo and for his relevant recommendations. My delegation supports all shared, comprehensive and integrated strategies based on dialogue and the establishment of conditions necessary for security and the improvement of the economic and social conditions of the entire population of Kosovo. As well, we support the idea of a subregional approach to the final settlement of the question of Kosovo.

Mr. Motoc (Romania): I, too, would like to welcome the presence before the Council the Special Representative of the Secretary-General, Mr. Jessen-Petersen, and to wish him every success in his challenging task. I must say that we were impressed by the briefing he gave the Council. Once again, I would like to assure him of Romania's full support.

Let me also thank the Secretary-General, his Special Representative and the staff of the United Nations Interim Administration Mission in Kosovo (UNMIK) for the comprehensive report (S/2004/907) and the equally ample technical assessment of standards implementation annexed to it. We wish to recognize the presence in the Council of Mr. Nebojsa Ović, President of the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija.

Romania fully associates itself with the statement that Ambassador Van den Berg of the Netherlands will be making soon on behalf of the European Union.

As we mentioned a few weeks ago in addressing the issue of Bosnia and Herzegovina, lasting stability is a long-sought goal in the western Balkans. We trust that it can be achieved through patience and willingness, keeping the broader picture in mind

against the background of European integration processes.

We would therefore warmly welcome a gradually increased role on the part of the European Union in Kosovo, starting with the setting up of an economic development strategy for Kosovo and ensuring a regional perspective for its economic development, as called for by the Secretary-General.

At the same time, Romania firmly believes that a European and Euro-Atlantic outreach to Serbia and Montenegro would be relevant to its further democratic development and would facilitate status discussions.

We congratulate the people of Kosovo and the Provisional Institutions on the professional, correct and calm manner in which the elections were held. At the same time, we regret the very low turnout of Kosovo Serb voters. Yet another opportunity for engaging in a meaningful social and political dialogue on problems related to Kosovo's future has thus been wasted. Nevertheless, the problems remain, and the future Government has a tremendous challenge ahead — that is, to ensure that all inhabitants of Kosovo, as well as those willing to return, have the same freedoms and rights and level of security.

We take note of the very uneven progress made in the implementation of standards. In our view, the implementation of the eight standards, with a view to helping to overcome the consequences of the March violence, reaching out to minorities and encouraging dialogue at all levels, remains key to initiating discussions on Kosovo's status. The new government — which needs to be stable and politically committed — will have to devote its undivided attention to achieving tangible progress on all standards during the course of the year ahead.

Romania wholeheartedly supports the elaboration of a comprehensive and integrated strategy to take us further towards a stable, multi-ethnic and prosperous society in Kosovo, in line with resolution 1244 (1999). The strategy, to be completed in its concept and then implemented by the Special Representative, should benefit from all the energy and support of the international community. In that context, we deeply appreciate the recommendations included in the report of Ambassador Kai Eide, which charts the main lines of such a comprehensive and integrated strategy.

We also commend the Secretary-General for the initiative to enhance the strategy through consultations with key Member States and regional organizations. We believe that, in preparing the platform for approaching the status issue, the solid and rational integration of all possible contributions is crucial. For its part, Romania will continue to stimulate such integration of efforts in various regional and subregional formats, notably in the South-East European Cooperation Process — an inclusive and regionally owned framework, which Romania currently chairs.

Recent developments in the region indicate the need to accelerate and deepen consultations at the regional level in order to identify formulas that reflect security concerns in South-East Europe.

The Romanian Minister for Foreign Affairs recently organized in Bucharest a debate on the Kosovo situation, in cooperation with the Project on Ethnic Relations. We deem it important that the debate was attended by all the main actors from Pristina and Belgrade and provided a good framework for direct contact between them. It is worth mentioning that on that occasion, representatives of Belgrade indicated their willingness to start a dialogue with Pristina "anytime, anywhere, on any issue".

At the same time, we have pursued consultations with the Foreign Ministers in the region in the framework of the South-East European Cooperation Process. As this kind of process of reflection at the regional level has proved to be very helpful in terms of the interaction between the main actors, we intend to continue such exercises.

Romania supports the current efforts of the Special Representative to develop, through dialogue with all parties concerned, comprehensive recommendations on the reform of local government and decentralization, as well as on transferring further competences to the Provisional Institutions and increasing their accountability and responsibilities. These are essential issues for Kosovo, and the Special Representative is right to make them top priorities for UNMIK and the Provisional Institutions.

Finally, we believe that, since 2005 appears to be very important for peace efforts regarding Kosovo, the time is ripe to send a mission of the Security Council to the region, perhaps early next year. In addition to enabling the Council to acquire firsthand information

on standards implementation, its action could do a great deal to support the comprehensive and integrated strategy mentioned earlier.

Sir Emyr Jones Parry (United Kingdom): It is rather nice to be able to say "Madam President". It is not often that one can say that in the Council.

I am grateful to the Special Representative, Mr. Jessen-Petersen, for his briefing, and I listened very carefully to the intervention of Mr. Ović. I think our special thanks are due to the Special Representative for so obviously getting a grip on the job in such a short time.

The United Kingdom associates itself fully with the statement which will soon be delivered by the Ambassador of the Netherlands on behalf of the European Union.

The United Kingdom shares the Secretary-General's assessment that progress has been made since the violence last March, but that much remains to be done before the comprehensive review in mid-2005. The elections last month, which were free and fair; the progress on post-March reconstruction; and the establishment of a framework for decentralization, local crime prevention councils and a United Nations Interim Administration Mission in Kosovo (UNMIK)-Provisional Institutions of Self-Government working group on the economy all are positive developments. The focus now must be on taking those achievements forward and making concrete progress on the ground.

The United Kingdom welcomes the Secretary-General's helpful recommendations paper on the way forward based on the excellent Eide report and on his consultations in New York in September. We look forward to discussing it further.

The United Kingdom continues to hold resolution 1244 (1999) as the basic framework for taking forward the political process in Kosovo. We recall the public statement that followed the meeting of the contact group political directors in New York during the ministerial week, and that informs the United Kingdom's position. So this process of open consultation today on the way forward is indeed very welcome.

I should like to make four points on Kosovo's priorities in the coming months.

The first point concerns the formation of a new government — a government which can commit to making immediate progress on implementing the key standards. We share the Special Representative's priorities. A government which is as representative as possible of all the people of Kosovo is clearly in Kosovo's best interests. Kosovo Albanian leaders have a responsibility to support the rule of law, including cooperation, as appropriate, with the International Criminal Tribunal, and a responsibility to speak out against inter-ethnic violence and incitement to racial hatred.

The international community will hold the Provisional Institutions of Self-Government to account for their actions in the coming months. Indicators of responsible government will have an impact on the mid-2005 review.

Secondly, immediate and visible progress on the ground is essential, especially with regard to minority rights and security, for which more effective local government is a vital contribution. Progress on decentralization is needed urgently, and the identification and launch of pilot projects present an early opportunity to move forward.

Thirdly, Kosovo's economy is in urgent need of an injection of momentum, and by that I mean the legitimate, non-black economy.

The United Kingdom welcomes the call of the Secretary-General and the Special Representative for the European Union quickly to devise and implement an economic development plan in cooperation with the Provisional Institutions of Self-Government. We therefore welcome the work of the Joint UNMIK-Provisional Institutions Economic Strategy and Project Identification Group on Kosovo's economic development.

Lastly, there must be dialogue with Belgrade. But Belgrade cannot expect to exercise oversight or veto. Belgrade's active discouragement of Kosovo Serb participation in Kosovo elections and in the decentralization process does not give the impression of a Government committed to improving the everyday lives of Kosovo Serbs. If Belgrade continues to block progress in certain areas, this will not be held against the Provisional Institutions. There will be a price to pay for obstructive behaviour, whether on the part of authorities in Belgrade or in Pristina; it will be a price

to pay in future participation in determining Kosovo's future.

I listened attentively to Mr. Ović and to the questions he posed. Do we want to solve the problem for good? Yes. Are Serbs in the Assembly as a token of multi-ethnicity? No. Do we favour an open-ended presence in the province? No.

I have some questions of my own for Mr. Ović, if I may. Will the future of Kosovo be improved by a partition which will ignore the interests of two thirds of those Kosovo Serbs scattered south of the Iba river. Would the future of the Serbs not be enhanced by a real effort to work through Kosovo institutions and with the international presence? Is not cooperation by Belgrade more likely to promote the sort of outcome we all want? And is not the way forward cooperation within Kosovo and with Belgrade, to reduce dependence on the international community?

The truth is that the solutions rest in the region. The rest of us can do what we can to facilitate positive outcomes, but it is those in the region who in the end have to make this work.

The Special Representative, looking to the future, said that the people of Kosovo understood that the implementation of priority standards is a necessary step before final status negotiations. I hope he is right that they know that. I am all the more encouraged that his positive approach will deliver those standards, which would put us then in a position to move forward on resolution 1244 (1999).

Mr. Denisov (Russian Federation) (*spoke in Russian*): We would like to express our gratitude to the Secretary-General for his report on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK) (S/2004/907) and to the Head of the Mission, Mr. Søren Jessen-Petersen, for his substantive briefing on the situation in the region. We take note of the participation in today's meeting of the Security Council of the President of the Coordinating Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija, Mr. Nebojsa Ović.

It must be noted that progress in the implementation of the standards drawn up for Kosovo by the international community, in particular concerning the activity of the Provisional Institutions of Self-Government, continues to be distinctly limited. To cite only one fact, but an eloquent one, the process of returns has moved in reverse: in 2004, the number of displaced members of minorities exceeded the number of those who were able to return to their homes. For example, since the outbreak of violence in March of this year, 2,288 persons have still been unable to return to their homes.

We support the Secretary-General's conclusion that significant additional efforts are needed for the genuine restoration of a healthy situation in the region and for the establishment of a concrete and stable basis for peaceful coexistence among ethnic communities. Particular responsibility for genuine change in Kosovo — change which would be of real benefit to all communities regardless of ethnic affiliation — lies first and foremost with the Provisional Institutions of Self-Government. Moreover, we view as unconstructive attempts to shift the blame for breakdowns in the processes in the region to the Kosovo Serbs, or to Belgrade.

We underscore the need for assessments of the implementation of the Kosovo standards to be realistic and consistent with the actual state of affairs. Here, there is a need for great caution and a need to avoid unfounded embellishment of the results, since undue optimism could have a negative impact on the fragile process of a Kosovo settlement and on the prospects for the achievement of inter-ethnic reconciliation in the region.

We take note of the organized manner in which the October elections for the regional Assembly took place. We agree with the Secretary-General that at present the objective of the Provisional Institutions of Self-Government of Kosovo is to form a representative, stable and effective government that can bring Kosovo forward. It is important that it be headed by a constructive political statesman with an impeccable reputation, whose attitudes would not lead to even further alienation among the communities in the region, but would rather promote the achievement of inter-ethnic harmony among them. Here, considerations of political expediency are inadmissible.

The lack of participation by the Kosovo Serbs in the elections is above all an indicator of the utterly unsatisfactory state of affairs in the sphere of ensuring human rights and the security of ethnic minorities. It also reveals how far Kosovo is from resolving the issue of the establishment of a multi-ethnic, democratic society. Here, we support the views of Kofi Annan and

his Special Representative in favour of devoting particular attention to those problems which are most significant for the Kosovo Serb community: the return of the population, security and decentralization.

We agree with the high-priority objectives for the near future set out in the report and in the briefing of the Special Representative of the Secretary-General: progress on the standards; the establishment of dialogue on an equal footing, above all with Belgrade; the proactive involvement of the Kosovo Serbs in the political processes in the region; and the development of the economy of Kosovo.

Reform of local self-government must play an important role in normalizing the situation of Kosovo in order to ensure that, in deeds rather than in words, conditions are created for coexistence among all communities of the region in a single multi-ethnic democratic society.

There is a need to accelerate the design of a universally acceptable and effective model of decentralization for Kosovo. We believe it advisable that negotiations on this question continue in the format of the September meeting in Vienna: with the participation of representatives of UNMIK, the Provisional Institutions of Self-Government of Kosovo, the Kosovo Serbs, Belgrade and the Contact Group. This is all the more important in the context of the need to set up constructive interaction between the United Nations Mission and the regional Provisional Institutions of Self-Government on the one hand, and the Kosovo Serbs and Belgrade on the other.

We are awaiting the recommendations of the Secretary-General, pursuant to the instructions of the Security Council, regarding a balanced model for the transfer of competencies from the regional authorities to the local organs of power and to the communities in Kosovo. We believe that they will take into account the position of Belgrade as stated in the 12 November working paper of the government of Serbia.

We are firmly convinced that the situation in the region continues to require unswerving implementation of Security Council resolution 1244 (1999). We remain dedicated to full and consistent support of the policy of "standards before status" as a decisive strategy for achieving a settlement in Kosovo.

On the whole, Russia shares the strategy formulated by the Secretary-General for further progress on a Kosovo settlement. Of fundamental importance, we believe, is Kofi Annan's premise that the peace process in Kosovo must be built on the solid legal basis of resolution 1244 (1999), and strategically important steps in that sphere must be implemented with the Security Council playing a lead role.

We endorse the high-priority objectives for Kosovo, set out in the Secretary-General's letter of 17 November, which include surmounting the consequences of the violence that erupted in March, ensuring the security, rights and freedoms of minorities, and the return of refugees and temporarily displaced persons. We agree with his position that the process of reviewing the implementation of Kosovo standards remains an UNMIK prerogative.

We are also firmly convinced that there can be no programmed start to a future political process to define the future status of the region without the genuine implementation of democratic standards and a special Security Council decision to that end. We draw attention to the need for the Head of UNMIK to draft, within the framework of a strategy for Kosovo, an effective series of sanctions that are ethnically neutral focused on those individuals whose actions might be detrimental to a Kosovo settlement and provoke inter-ethnic strife.

It is clear that a great deal of the success of the Secretary-General's proposed strategy for Kosovo will hinge not only on the actions of the Kosovo politicians, but also on practical actions by the international presences there and the contribution of key external players. For its part, Russia is ready for very close interaction with the Special Representative of the Secretary-General and Head of the United Nations Interim Administration Mission in Kosovo, Mr. Jessen-Petersen, in the interests of putting a speedy end to the tragedy in the Balkans and to moving the situation in the direction laid down in resolution 1244 (1999), which remains the sole legal basis of a Kosovo settlement.

It is our belief that only coordinated activity on the part of the international community can help to consolidate security and stability in the region.

Mr. Gaspar Martins (Angola): I should like to thank you, Madam, for convening this meeting on the situation in Kosovo. I should also like to thank Mr. Søren Jessen-Petersen for presenting the comprehensive report of the Secretary-General on the

United Nations Interim Administration Mission in Kosovo (UNMIK). My delegation also thanks Mr. Ović for his clarifying statement.

We would like to express our appreciation to the Secretary-General for requesting Ambassador Kai Eide to make a comprehensive review of the policies and practices of all actors in Kosovo. That was a wise and timely measure.

My delegation welcomes the progress that has been achieved so far on some of the eight Kosovo standards on the Implementation Plan and commends the sustained efforts of UNMIK towards the establishment of a democratic, multi-ethnic society in Kosovo where the rights of all communities are fully protected and respected. Obviously, the standards are aimed at promoting such values as respect for minorities, tolerance, democracy and the rule of law. The fulfilment of the priority tasks outlined by the Special Representative represents an important step forward in the implementation of the standards.

In that regard, we express our support for the implementation of the comprehensive and integrated strategy to advance the challenges set out: the strengthening of current efforts to deal with the causes and consequences of the March violence, improved dialogue at all levels, readjusting the standards policy, transferring further competencies to the Provisional Institutions and enhancing their capacity-building, reinitiating a more comprehensive dialogue with Belgrade — which is a very important task indeed — and implementing a stronger economic development policy with short- and long-term measures.

We note with appreciation that the task of identifying and prosecuting the perpetrators of the March riots is not being neglected and that many of them are in fact subject to prosecution. That is also a very important decision and task.

The transfer of additional competencies to the Kosovo Provisional Institutions of Self-Government, in accordance with resolution 1244 (1999), can enhance their capacity, since they are the most important factor in the implementation of the standards.

The lack of involvement of Kosovo Serbs in the political process is still a cause of concern for my delegation. Unfortunately, the participation of the minorities in the last parliamentary Assembly election was insignificant. They must accept the responsibility to engage constructively in the building of peace and they should be strongly encouraged to do so.

My delegation believes that the resumption of dialogue between Belgrade and Pristina is essential. We encourage UNMIK's efforts to that end, particularly the resumption of the working groups. To develop a network of activities aimed at easing communications and at facilitating freedom of movement for members of minority communities in Kosovo — in particular Kosovo Serbs — is very important. Nevertheless, the security environment is fundamental to that end to ensuring that the sustainable return of internally displaced persons can take place in safe conditions.

We welcome the economic development and reform efforts in Kosovo. As indicated in the report of the Secretary-General, some progress has been made in completing economic legislation, moving privatization forward and the overall implementation of the budget process. However, much remains to be done. In that regard, we are grateful for the commitment of the international community, particularly the European Union and the Contact Group, and call on them to spare no effort in working towards Kosovo's peace and development.

Finally, we fully support the implementation of resolution 1244 (1999) and the political position declared by UNMIK calling for the fulfilment of the standards of democracy and applying the rule of law towards the establishment of the final status of Kosovo.

Mr. Valle (Brazil): I wish to thank Special Representative Jessen-Petersen for his detailed briefing on the United Nations Interim Administration Mission in Kosovo (UNMIK). I take this opportunity to express our recognition of the quality of his work and that of UNMIK personnel.

I am also pleased to recognize the presence of Mr. Ović of Serbia and Montenegro.

After more than four years of international involvement in Kosovo, as we approach the moment of beginning status negotiations in that province, the lack of progress in standards implementation is an unfortunate reality that can not only jeopardize the progress made so far, but also delay the beginning of the process to determine final status. Although there have been tangible advances in some very specific areas, such as the reconstruction of homes and public

buildings looted in March, it is still regrettable to see that, regarding such key issues as the overall situation of minorities, very little has been achieved.

A firmer stance is required against unchecked abuses that continue to take place routinely against minority groups, virtually deprived of their freedom of movement and disrespected in their basic human rights and needs. Although the Provisional Institutions carry the primary responsibility for the implementation of standards and for alleviating the plight of minority groups, the international community must also take concrete action to improve the security conditions for those groups, and especially for the Kosovo Serbs. It is encouraging that the October elections were held in an environment of calm and order. Lack of participation by the Kosovo Serbs in the poll, however, thwarts efforts towards building a multi-ethnic society and is detrimental to the situation of the Serb minority. It is unfortunate that the constructive appeal of some Serbian leaders, including many authorities in Belgrade, in favour of participation in the elections was not heeded by the Kosovo Serb population.

The political parties in Kosovo have now reached agreement on the formation of a coalition Government for the province. The composition of such a government should not lead to an exacerbation of tensions in the region. Moderation is key to conducting Kosovo safely to the final status negotiations. The fact that there are plans to include members of minorities in the new ministries is encouraging, but the weak and declining presence of minorities within the Provisional Institutions remains a matter of deep concern.

Sustained social, economic and institutional development is a condition for final status. A revitalized economy, the creation of jobs and new opportunities, especially for the young, will help ease underlying social unrest.

We are pleased to note the continued progress in the task of bringing to justice those involved in the riots of last March. The fact that more than 300 cases have been completed or are under consideration bears witness to the good work being done by judges and prosecutors under the monitoring of UNMIK. Achieving a constructive and engaged dialogue between Pristina and Belgrade remains an imperative for the eventual success of international efforts in Kosovo. In that context, Pristina and, especially, Belgrade should be persuaded to resume negotiations.

While frustration and despair grow amidst all ethnic groups in the region, the temptation for unilateral, even violent, initiatives may be surreptitiously increasing. As the moment of truth for Kosovo approaches, all parties concerned must be conscious that no durable, stable, satisfactory solution will be found without respect for the rights and legitimate aspirations of all.

Mr. Baja (Philippines): We are grateful to Ambassador Jessen-Petersen for his briefing and extend a warm welcome to him. We are also grateful to Mr. Ović for his briefing.

Kosovo is one of the more intractable conflict issues facing the Council, despite the fact that so many international actors — NATO, the United Nations Interim Administration Mission in Kosovo (UNMIK), the European Union, the Organization for Security and Cooperation in Europe and the Global Compact are all active in support of a multi-ethnic and democratic Kosovo. That is an enigma to us, perhaps because the Security Council was absent when the conflict began and it essentially sat out the conflict. True, resolution 1244 (1999) was adopted, but it did not contain a strategy to resolve the conflict.

Five years into the Security Council's consideration of the question of Kosovo, we all know what needs to be done. As a matter of fact, paragraph 19 of the report of the Secretary-General (S/2004/907) states that,

> "there seems to be a general understanding of and support for an integrated strategy for the way forward in Kosovo from now until mid-2005 and in preparation for the process to determine the future status of Kosovo. There was broad agreement on the need to focus on the economy and on security, the need to engage with Belgrade and to bring the Kosovo Serbs into the process, and the importance of the standards process".

We all know that. The challenge now is how all of those concepts may be realized. We have heard some interesting and noble ideas from Ambassador Jessen-Petersen this morning and we have heard similar proposals from two previous Special Representatives of the Secretary-General. The question is, what factors make the Special Representative of the Secretary-General more optimistic now than were his predecessors? Similar arrangements were made before

the trouble in Kosovo in March, but that did not prevent the problems from happening.

The representative of the United Kingdom enumerated some small, but nevertheless significant signs of progress towards the resolution of the problem. But there are other big and even more significant issues, such as real dialogue between Belgrade and Pristina, the existence of parallel Serb structures, and the participation of all key factors in the democratic process. We welcome the efforts made after the March conflict, including the rebuilding of private property and religious and cultural sites that had been destroyed or damaged.

We express our satisfaction with the arrest and prosecution of a number of those who instigated attacks against the minority communities. We take note of the progress achieved in local government, as well as in economic development.

We also welcome the technical assessment presented in the report of the Secretary-General, but the challenge now before the Council is to find the best way forward for Kosovo. There have been some proposals presented, and the Council should be of one mind, if possible, to concentrate on the best approach. Certainly the Council cannot remain seized of the matter for 10, 15 or 20 years, as Mr. Ović said in his statement.

In the coming months we should be able to present the best option possible for Kosovo. Perhaps the proposal made by the representative of Romania concerning a mission to Kosovo could be given consideration. That means the Council would not be discussing the matter from a distance but would be obtaining information on the ground.

Before I close, I would like to find out from the Special Representative whether things are moving in the right direction concerning the implementation of standards. Would it be possible to start discussion on Kosovo's final status by the middle of next year, as planned? Also, what is his assessment of the impact that the anticipated appointment of the former Kosovo Liberation Army Commander Haradinaj as prime minister would have on the standards implementation progress and on the discussions concerning the final status of Kosovo?

Mr. Duclos (France) (*spoke in French*): I would like at the outset to express my gratitude for the very comprehensive statement by the Special Representative of the Secretary-General. I would also like to thank the representative of Serbia and Montenegro.

I would like to associate myself with the statement to be made later by the representative of the Netherlands on behalf of the presidency of the European Union. I will confine myself to making a few brief comments.

First of all, France fully supports the work carried out since the summer by the Special Representative of the Secretary-General. His dynamism, his presence on the ground and his leadership qualities have created a fresh and very constructive climate for the efforts of the international community in Kosovo. We would therefore like to thank and encourage him. We would also like to express our gratitude to the Commander of KFOR, General de Kermabon, who is working in close cooperation with Mr. Jessen-Petersen in carrying out the stabilization activities of the international military presence in Kosovo.

Secondly, we have given careful consideration to the report of the Secretary-General on the implementation of the standards in Kosovo, published last week. We support the comments made in that document. In particular, we share the Secretary-General's frustration with regard to the implementation of the standards and the meagre progress achieved in recent months. We appeal to the Provisional Institutions of Self-Government of Kosovo to act without delay in order to make concrete progress on the standards. Each of the eight standards is important, but we support the approach of the Special Representative in identifying priority actions for each standard in support of the protection of minorities, decentralization, the return of refugees, the fight against crime and the establishment of the rule of law. We expect concrete results on those urgent questions from the Provisional Institutions.

Thirdly, I would like to reaffirm that the implementation of the standards remains, in our view, a question on which we will make no concessions can be made. This implementation is first and foremost the responsibility of the Kosovars themselves, above all of the Provisional Institutions of Self-Government — the Government, the Assembly and the President.

No progress can be made in Kosovo without the effective implementation of the standards. We hope that that message will be heard by the Kosovo leaders.

It is up to them to get back to work as soon as possible following the interruption due to the election campaign.

Mr. Yáñez-Barnuevo (Spain) (*spoke in Spanish*): We, too, would like to thank the Special Representative of the Secretary-General, Mr. Jessen-Petersen, for his interesting and comprehensive introduction to the report of the Secretary-General on the United Nations Interim Administration Mission in Kosovo (UNMIK). We would like to commend him for the work that he is doing as head of that Mission. I would also like to welcome the presence today of Mr. Ćović, President of the Coordination Centre of Serbia and Montenegro and of the Republic of Serbia for Kosovo and Metohija.

Spain also fully supports the statement to be made later by the representative of the Netherlands on behalf of the European Union.

We share the assessment of the Secretary-General regarding the level of implementation of the standards for Kosovo, as well as of the need to make a concerted effort to make more resolute progress in their implementation. It is clear that UNMIK's fundamental task must be to make progress in the eight areas, with priority actions being taken with regard to each of them.

We welcome the fact that the general election of 23 October in Kosovo was peaceful, although we regret that the Kosovo Serbs did not participate. Now that the new Kosovo Government is about to be constituted, we consider it vital that the focus be on the implementation of the standards, on which a great deal remains to be done. We are particularly concerned about the limited progress in key areas, such as the return of displaced persons and refugees and efforts at reconciliation, as well as in the area of security and freedom of movement for the members of minority groups.

It is alarming that — in particular as a result of the violent events of last March — the number of forced displacements in 2004 is higher than the number of those able to return to their homes, in spite of the effort to rebuild homes and schools following those incidents. There is therefore a need for a more ambitious policy to encourage return, which would clearly include offering an attractive and credible future to the Serbs and other members of minorities in a multi-ethnic Kosovo.

With regard to security, we hope that the local crime prevention councils will contribute to meeting the legitimate concerns of the members of the various minorities. Likewise, KFOR, to which Spain is an active contributor, will continue to play an essential role in the maintenance of security. But security can be sustainable in the long term only if the Provisional Institutions develop a broad programme that reaches out to the Serbs of Kosovo and the members of other minorities — one that is reflected in concrete advances, including measures for the employment of members of the minorities in the public administration at various levels. At the same time, it would be appropriate to consider the transfer of certain competencies to the Provisional Institutions of Self-Government — something that the Special Representative of the Secretary-General might see fit to do when the time is right.

As the Secretary-General has indicated, this process should be accompanied by related responsibility and accountability on the part of the Provisional Institutions, and closer monitoring, including, if necessary, the imposition of sanctions by the Special Representative of the Secretary-General. In the event of such a development, the transfer of competencies related to security should be carried out with the greatest care, and the Special Representative should retain supreme control over all the police forces of Kosovo.

Furthermore, we consider it essential that the direct dialogue between Pristina and Belgrade be resumed and strengthened, against the backdrop of the assessment of the implementation of standards to be carried out by the Council in mid-2005, which could, in turn, lead to a process of determining the statutory future of Kosovo. It is of paramount importance that the two capitals remain in constant contact.

Finally, I would like to refer to the importance of the economic and social aspects, with regard to which the European Union is playing a very important role. Economic development, which must be based on an appropriate legal framework, is fundamental if progress is to be sustained in the other areas and stability and confidence generated among the various components of the Kosovo population.

Spain supports the establishment of an integrated strategy to move forward in implementing the standards for Kosovo, with a view to the assessment

that will be conducted in mid-2005. The objective in this regard remains that of a multi-ethnic, democratic Kosovo based on the rule of law and steadily integrated in European structures.

Mr. Zhang Yishan (China) (*spoke in Chinese*): First of all, I would like to thank the Secretary-General for his report (S/2004/907) and Mr. Jessen-Petersen for his additional information. I have listened attentively to the important statement of Mr. Ćović. I wish to take this opportunity to express appreciation to Mr. Jessen-Petersen for his active efforts since his appointment. I am confident that, in the future, he will continue to carry out with distinction the mandate entrusted to him by the relevant Security Council resolutions.

Kosovo has entered a crucial phase. How the situation evolves there will affect the future direction Kosovo takes and stability in the Balkans. We have always believed that a comprehensive and satisfactory resolution of the Kosovo issue must be predicated on the full implementation of Security Council resolution 1244 (1999). We welcome the positive steps already taken by the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Provisional Institutions of Self-Government to deal with the aftermath of the March violence and to implement the standards.

We note, however, the lack of progress in some key areas, including returns, the protection of minorities and freedom of movement. We hope the Kosovo leadership will, in active cooperation with UNMIK, make further efforts in the areas mentioned above in order to effectively enhance trust and reconciliation among the communities, which will in turn lay down a solid foundation for their harmonious coexistence. We also hope that direct dialogue between the Provisional Institutions of Self-Government and Belgrade will soon resume. This is of great importance for a positive evolution of the situation in Kosovo.

We note the Secretary-General's proposed comprehensive and integrated strategy for the way forward. We agree with the importance given to the implementation of the standards and the need to focus on the economy and security in the interest of bringing real improvements of all communities in Kosovo. We look forward to concrete recommendations by the Secretary-General in this regard.

Mr. Muñoz (Chile) (*spoke in Spanish*): I would like, first of all, to express thanks for the introduction to the report on the implementation of the mandate of the United Nations Interim Administration Mission in Kosovo (UNMIK) and for the efforts of the Special Representative of the Secretary-General, Mr. Søren Jessen-Petersen. I also want to express thanks for the statement made by Mr. Ćović on behalf of the Council of Ministers of Serbia and Montenegro.

From the report, we see that, although there is progress, it has been uneven and limited, and that the standards have not yet been implemented. This is why we believe it would be appropriate to develop an integrated strategy for the period from now until mid-2005 and have an overall assessment of progress and implementation of the standards in mid-2005.

We agree with the emphasis being placed on the economy and on security, which are the basic pillars for the stability and development of the entire society. However, this does not mean that attention should be diverted from other fundamental areas, such as, for example, the dialogue with Belgrade, the participation of the Kosovo Serbs and the fulfilment of the eight standards.

The elections of 23 October for the Kosovo Assembly, which were held peacefully, freely and in a correct manner, constitute an important advance in strengthening Kosovo's provisional institutions and in the process of stabilization and normalization. Nonetheless, we do express our concern at the non-participation of the Kosovo Serbs.

Likewise, we take note with interest of annex I of the report before us (S/2004/907), which elaborates on the shortcomings, achievements and remaining challenges in the implementation of the standards. In the light of the balance sheet contained in that annex, efforts should continue in fundamental areas, such as return and reconciliation, security conditions and freedom of movement for the minorities of Kosovo, in particular the Kosovar Serbs. It is essential that measures continue to be adopted to preserve — and ensure respect for — the rule of law, by bringing to justice those who perpetrate acts of violence, by requisitioning illicit weapons and by suppressing organized crime. For our part, we believe that progress should continue in economic legislation, privatization, tax collection and the establishment of a general budgetary process.

We believe that UNMIK's broad review of its functions under resolution 1244 (1999) is appropriate,

as is the eventual transfer of competencies that do not affect sovereignty to the Provisional Institutions of Self-Government. We also believe it is fundamental that this transfer entail an increase in the Provisional Institutions' responsibility and accountability, and that this be subject to monitoring and supervision by the Special Representative of the Secretary-General.

The images of violence in March that have been referred to here in this Council must not be forgotten. The dialogue seems to us the key to avoiding another such situation, and for this reason, we are very interested in efforts at reaching out between Kosovar Albanians and Serbs. It seems to us unacceptable that the Provisional Institutions of Self-Government and party leaders have not investigated the responsibilities or omissions by public authorities regarding the violent acts of March, nor have they condemned the information broadcast by the media that incited this ethnic violence.

We agree that the basic challenge to the Provisional Institutions of Self-Government of Kosovo and to Kosovo's political leaders remains that of making sure that progress in implementing the standards leads to sustained and tangible benefits in Kosovo for all of the population. This is why constructive dialogue between Belgrade and Pristina and between UNMIK and the Kosovo Assembly are vital elements for the success of this undertaking. We trust that, with the implementation of the integrated strategy, all those involved — UNMIK, the Provisional Institutions of Self-Government, the local political leaders and other groups — will all be in a position to undertake more effective action for the attainment of a Kosovo that is truly multi-ethnic, stable and democratic, with the ability to include all the inhabitants of Kosovo without any exclusion.

Mr. Pleuger (Germany): My delegation would like to align itself with the statement by the Permanent Representative of the Netherlands on behalf of the European Union to be delivered later today. We would also like to thank the Special Representative for his briefing, and we listened with interest to the statement of Mr. Ćović.

Both the report of the Secretary-General and Mr. Jessen-Petersen's briefing this morning provide us with a thorough analysis of the standards implementation process. Let me highlight a few aspects that Germany considers to be of particular importance.

We welcome the fact that the organization and holding of the general elections in Kosovo were carried out in a professional manner. The elections were free and fair. That is a positive and encouraging development regarding Kosovo's democratization process. However, the fact that Kosovo Serbs participated in only negligible numbers is regrettable. We feel that the appeal by Belgrade authorities to the Kosovo Serbs to refrain from voting was irresponsible. We strongly urge the Kosovo Serbs to take their seats in the Assembly and to participate in the working groups in Pristina. That is the best place and the best way for the Kosovo Serbs to address their legitimate concerns.

With regard to the standards implementation process, we agree with the Secretary-General's analysis that more needs to be done in order to achieve a positive review in 2005. We need more progress, particularly in the areas of security, sustainable returns and freedom of movement. The events of last March were a major setback in that regard.

On the other hand, we share the opinion expressed in the report that Kosovo is getting back on track in fulfilling the standards. The Provisional Institutions have increased their efforts in the implementation process. That is good news. It will now be the task and the responsibility of the new Kosovo Government to follow up on that positive trend. Only by taking on that task can we create the basis for a positive outcome of the mid-2005 comprehensive review. Recalling the presidential statement of 12 December 2003 (S/PRST/2003/26), we reaffirm our commitment to this review process on the basis of assessments provided by, among others, the Special Representative and the Contact Group.

Germany attaches great importance to the reform of local Government and to the decentralization process. We would like to see the speedy launching of the first pilot projects on the basis of the framework document. They should take into account issues such as the protection of minority community rights and security. We hope that Belgrade will assume a constructive role in the local government reform process and that it will accept the Special Representative's offer to send advisers to the relevant working group in Pristina.

Let me conclude by thanking the United Nations Interim Administration Mission in Kosovo (UNMIK)

for all its efforts to implement Security Council resolution 1244 (1999) and by commending Mr. Jessen-Petersen for his impressive commitment and for the new dynamic that he has brought to UNMIK's activities. Germany fully shares the priorities he has set, and we will continue to provide our full support to assist in their implementation.

Mr. Khalid (Pakistan): I wish to welcome Mr. Jessen-Petersen to the Security Council and to thank him for introducing the report of the Secretary-General and for updating the Council on the work of the United Nations Interim Administration Mission in Kosovo (UNMIK). Pakistan will continue to offer its fullest support to Mr. Jessen-Petersen in his efforts to establish a multi-ethnic, tolerant, democratic and peaceful society in Kosovo. We would also like to acknowledge the presence of Mr. Ović in the Security Council today.

According to paragraph 3 of the Secretary-General's report, Kosovo is "getting back on track in regard to fulfilling the standards". The report describes tangible and encouraging progress in some areas towards meeting the standards since the March riots, even though that progress has been uneven and limited. One of the most positive developments in the process of stabilization and normalization in Kosovo has been the elections for the Kosovo Assembly, held in October. We welcome the positive outcome of those elections, but regret the fact that the Kosovo Serbs did not participate in them.

We support all efforts aimed at reaching out to the Kosovo Serbs, involving them in the Kosovo Assembly and working with them to create the conditions for normal life in Kosovo. In that regard, it is imperative that the parallel structures should be dismantled. At the same time, it is equally important to address key concerns of the Kosovo Serbs and of other minorities. Key among them are their security and freedom of movement and the sustainable return of refugees and internally displaced persons.

Also key to success in Kosovo is economic development. We fully subscribe to the view, as contained in the Secretary-General's report, that such development is necessary, not only to improve general social and economic conditions, but specifically to improve security and stability. While UNMIK's quick-impact projects are certainly helpful, the real solution lies in mid- and long-term economic assistance and investment. We continue to encourage international donors — especially European support — in those areas.

Also of great importance is the need to resume and regularize the dialogue between Belgrade and Pristina, not only to facilitate the implementation of the standards, but also to promote confidence-building between the two sides. A sustained and meaningful dialogue of that nature is, we believe, key to the prospects of peace in the region.

In our view, the progress made on the standards issue, although commendable, is still fragile. It will remain fragile unless and until a more pressing issue — Kosovo's status — is also addressed. While we agree with paragraph 17 of the Secretary-General's report that "progress against standards translates into tangible and sustained change in Kosovo that concretely benefits all of its population", we believe that real progress in Kosovo will remain elusive unless its final status is also resolved. Therefore, we will continue to urge the adoption of a status-with-standards approach. Such an approach would simultaneously aim at the implementation of standards in Kosovo and seek to clarify Kosovo's status issue, including by finding ways in which to promote self-determination for all Kosovars while seeking to uphold the rights and interests of its minorities. That, in our view, is the best course, essential to create hope for peace and stability and to end the legacy of war in the region.

Mr. Zinsou (Benin) (*spoke in French*): We would like to thank the Special Representative of the Secretary-General for his very instructive briefing on the situation in Kosovo. We also commend the representative of the Government of Serbia and Montenegro for his outstanding contribution to our debate.

We greatly appreciated the report of the Secretary-General on the activities of the United Nations Interim Administration Mission in Kosovo (UNMIK), particularly its annex I, on the technical assessment of the implementation of each of the eight standards established by the provisional administration. It has enabled us to take stock of what remains to be done in order to achieve the objectives set by the policy of "standards before status".

Our comments concern primarily the holding of the legislative elections, the situation of minorities and the promotion of economic development in the

province. In our view, the success of the first legislative elections in Kosovo, organized by the Provisional Institutions, are an important indicator of positive developments in the situation in Kosovo after the tragic events of March 2004. We attribute this to the efforts of those who worked as fast as they could to stabilize and normalize the situation in the province and to create the conditions for the proper conduct of the elections. The key role played by local institutions, such as the Central Election Commission, is of particular note. We also welcome the actions of the United Nations Interim Administration Mission in Kosovo (UNMIK) and the Kosovo Force (KFOR), which coordinated their actions to ensure the security and order which are necessary for the holding of any transparent and reliable election. Here, we note with great satisfaction that the electoral campaign and the balloting took place without irregularities and without significant incident.

The lower level of voter turnout compared with previous votes was regrettable. It is clear that the situation would have been quite different if the events of March 2004 had not taken place, if a considerable number of potential voters had not been forced to leave the province, and if the Serb authorities had cooperated in carrying out the postal registration programme for refugees and in a timely manner, had encouraged the active and unconditional participation of the Kosovo Serbs.

The report (S/2004/907) of the Secretary-General cites, among the conditions laid down by the Serb authorities, the establishment of internationally recognized local Serb authorities in the areas populated by Kosovo Serbs. Those demands seemed to us to run counter to the vision of a multi-ethnic Kosovo, which should be administered by local structures which are neutral from an ethnic point of view. In our view, that is the direction in which the planned reform of the local Kosovo administration should go. Ethnic exclusivity is a synonym for exclusion, and exclusion is a source of frustration and conflict. We also have concerns regarding the fact that Kosovo's Provisional Institutions for their part have not energetically encouraged increased minority representation. Progress in Kosovo towards achieving political normalization must also be measured in terms of the integration of minorities.

We welcome the considerable efforts made to repair the physical and psychological damage caused by the events of March 2004. The rebuilding of houses and schools has been most encouraging. However, acts of vandalism against such rebuilt but not yet reclaimed houses are particularly harmful and undermine confidence-building measures designed to promote the return of displaced persons. Such acts must therefore be condemned with the utmost vigour. It is regrettable that the authorities of Kosovo's Provisional Institutions have not expressly condemned those acts. The return of displaced persons must be considered as a decisive element in assessing the process of normalization. We urge UNMIK and KFOR to increase their activities aimed at ensuring the freedom of movement of minorities wherever it is threatened. Security must be provided in such a way as to inspire confidence in all communities.

The battle against impunity for acts of harassment against minorities must be strengthened and must be a priority for UNMIK and for the new Ministry for community matters, human rights and returns. We welcome the decision taken by the political leaders of Kosovo to create that new Ministry, and we consider it a timely one. The ministry can and must become involved in advancing dialogue between the communities, with Belgrade and with the region. That is the best way to ensure cohesion among the various ethnic groups in Kosovo. The Ministry must do everything possible to provide all of those groups with conditions conducive to their full development. Here, we encourage the search for the broadest possible consensus on implementing the planned comprehensive and integrated strategy — a strategy which takes into account the subregional approach in creating a process for determining the future of the province of Kosovo.

In conclusion, we fully share the view of the Secretary-General regarding the importance of accelerating the economic development of the province. That must form an essential theme of the long-term strategy, and the reforms needed to ensure it must be tirelessly carried out. We welcome the dynamic process of privatization and the possible establishment of an investment promotion agency, as well as the rationalization of tax policies. Those measures are necessary for strengthening the foundation of the market economy in the province, as well as for protecting property rights, which can greatly contribute towards stabilizing Kosovo.

The President: I will now make a statement in my capacity as representative of the United States.

I would like to begin by thanking the Special Representative of the Secretary-General for his informative and comprehensive briefing. We thank him for his hard work and able leadership in Kosovo, and we look forward to continuing to work closely with him. We also welcome the insights provided to the United Nations by Ambassador Kai Eide of Norway.

The United States remains committed to a secure, stable, democratic and multi-ethnic Kosovo. In that vein, we congratulate the people of Kosovo on conducting an open, democratic election in October. We encourage all people in Kosovo to take an active part in the political process, including those who chose not to vote. Participation represents the best way for all in Kosovo to advance their interests.

The primary responsibility of the next provisional government in Kosovo is to accelerate implementation of the standards, ahead of the mid-2005 review. But the United Nations Interim Administration Mission in Kosovo (UNMIK) has an essential role to play in that process. UNMIK, under the able leadership of the Special Representative of the Secretary-General, has prioritized the implementation of the standards to focus on ensuring the security and protection of all ethnic groups. We fully support the Special Representative's efforts.

Decentralization is an essential element in protecting the rights of ethnic groups. As recommended in the Eide report, UNMIK has begun the important process of developing ways to devolve more authorities to the community level. That process will empower local communities and promote the further reform of local government. Decentralization provides a critical mechanism to protect minority rights, thus making it a priority element in the political development of Kosovo. We recognize the interest of Belgrade in that process and welcome its thoughts, which can enrich the Pristina-led process. We are committed to decentralization and stand ready to assist the Special Representative of the Secretary-General in that area should he so request.

Let me close by reaffirming my Government's commitment to the Contact Group statement of September, which said that Kosovo's future, like that of the entire region, is as part of Europe. The basis of any settlement must include the promotion of security and stability in the Balkans. As the Standards for Kosovo document states, the future for Kosovo must be one in which all people, regardless of ethnic background, race or religion, are free to live, work and travel without fear, hostility or danger, and where there is tolerance, justice and peace for everyone.

Our attitude towards the future of Kosovo will depend heavily on the extent to which that statement matches the reality on the ground in Kosovo, particularly in regard to Kosovo Serb and non-Albanian communities. The emergence of such a Kosovo will contribute to moving the western Balkans region towards European integration. Those indicators mean that Kosovo would not return to the situation prevailing there before March 1999.

I now resume my functions as President of the Council.

The next speaker inscribed on my list is the representative of the Netherlands, whom I invite to take a seat at the Council table and to make his statement.

Mr. Van den Berg (Netherlands): I have the honour to speak on behalf of the European Union and the candidate countries Bulgaria, Romania, Turkey and Croatia, the countries of the Stabilisation and Association Process and potential candidates Albania, Bosnia and Herzegovina, and The former Yugoslav Republic of Macedonia, and the European Free Trade Association countries Iceland and Norway; members of the European Economic Area align themselves with this statement.

Let me begin with thanking the Special Representative, Mr. Jessen-Petersen for his briefing, and commend him with his swift start in this challenging situation.

Two weeks ago, the Security Council discussed the situation in Bosnia and Herzegovina. The High Representative, Lord Ashdown, stated that Bosnia is moving from a "Dayton era" to a "Brussels era". The European perspective of peace and progress provides countries in the region a real and important incentive to replace conflict and confrontation with reconciliation and reforms. It is in the interest of the European Union to assist the region to further integrate in Euro-Atlantic structures. Against that background, the European Union is engaged with the region through the comprehensive Stabilisation and Association Process. Against that same background, the European Union will in three days' time take over the main peace

stabilization role from the North Atlantic Treaty Organization in Bosnia.

And finally, against that background, the European Union is deeply committed to be part of the discussion on the future of Kosovo. Let me today briefly touch upon two issues: the current situation in Kosovo and reform steps as presented in the Eide report.

On the situation in Kosovo: the positive trend to address the consequences of the March violence continues. As the report of the Secretary-General states, "tangible and encouraging progress" has been made. Houses and schools are being rebuilt. Those directly responsible are being brought to justice. The European Union commends the Kosovan leadership for their efforts. It will, however, take longer to also rebuild the confidence and trust of the victims. Structural outreach to the victimized communities is now the important next step. This should include a thorough investigation of those who created an environment that enabled the violence, like some media outlets. They may not be criminally liable, but they are morally responsible, and should therefore be held no less accountable. As the report describes, after the derailment of March, Kosovo is getting back on track to fulfil the implementation of the standards. The immediate priority for the Kosovars is now to put the new Government to work. Despite the disappointing non-participation by the Kosovo Serbs in the elections, the Government should be representative for the whole population. And it will have to work effectively on the priority standards.

The European Union reiterates that a multi-ethnic, democratic Kosovo is only achievable if the implementation of the standards is guaranteed. This requires constructive actions from the new Government and the minorities themselves, and renewed energy by both Priština and Belgrade to engage in a dialogue, supported by the international community. Belgrade must also play a constructive and committed role in enabling Kosovo to implement the standards. In this regard, the next report of the Secretary-General will be of great importance. It will reflect the first results of the new Government. And, the Special Representative of the Secretary-General will more than before focus on those standards that are essential to a multi-ethnic Kosovo. Progress is still lacking in the areas of minority return, security for minorities and freedom of movement, and reform of local government. Especially with the winter months coming up, reconstruction efforts should be doubled.

Turning to the reforms after the Eide report, we see that in recent weeks and months the Secretary-General has held a series of consultations on the Eide report with key Member States, the Contact Group, and regional organizations such as the European Union. We commend the Secretary-General for this inclusive approach and share his conclusion that there is a broad consensus on a number of important measures. The measures consist notably of defining priority actions within the Kosovo standards, the transfer of additional competencies to the Provisional Institutions of Self-Government, a greater accountability by the Provisional Institutions, and a more robust oversight by the Special Representative of the Secretary-General.

With regard to the transfer of competencies to the Provisional Institutions, the United Nations Interim Administration Mission in Kosovo (UNMIK) has identified a number of responsibilities that do not impinge on sovereignty. The European Union welcomes the swift transfer of those responsibilities. This will provide the leadership in Kosovo with a further opportunity to show the political will to govern effectively and in accordance with basic principles of democracy, rule of law and respect for minorities. Reforming local government will be crucial in this regard, and the European Union looks forward to early implementation of pilot decentralization projects. As is pointed out in the report, additional capacities within the Provisional Institutions are necessary. In order to improve coherence of international assistance, we welcome the fact that a clear needs assessment from the side of the Provisional Institutions and UNMIK is under preparation. This will also enable more targeted support by the European Union, its member States and its institutions.

A crucial element for the future of Kosovo is economic development. The Eide report clearly analysed the detrimental effect of the bleak economic situation in Kosovo. The European Union looks forward to responding positively to calls upon the European Union to develop and implement an economic plan in accordance with its mandate under Pillar IV of UNMIK and the Constitutional Framework. Recognizing the value of a regional, European-oriented economic strategy, the European Union notes the importance of the Kosovo Government taking on greater responsibility for the economy, and

stands ready to help build the capacity of the Kosovo Government to design and drive forward such a process. The European Union welcomes the work of the joint UNMIK and Provisional Institutions Economic Strategy and Project Identification Group (ESPIG) and looks forward to close cooperation with the Provisional Institutions and UNMIK in planning for development and identifying precise needs.

Last but not least, the European Union fully supports the further development and evolvement of a comprehensive and integrated strategy for Kosovo. The strategy should offer the leadership and population of Kosovo a chance to show its intentions to establish a democratic, multi-ethnic Kosovo. Consequently, that will ultimately provide the basis to embark on the process determining the future status of Kosovo.

The President: I thank Ambassador Van den Berg for his statement. I invite him to resume the seat reserved for him at the side of the Council Chamber. The next speaker inscribed on my list is the representative of Switzerland whom I invite to take a seat at the Council table. I give the floor to Ambassador Maurer of Switzerland.

Mr. Maurer (Switzerland) (*spoke in French*): The international community has been strongly committed to Kosovo for more than five years now. The deplorable events of last March have forced us to review the strategy we had pursued until then in order to find a lasting political settlement. The Secretary-General made proposals to this effect. Switzerland welcomes the Secretary-General's report of 17 November 2004 on the United Nations Interim Administration Mission in Kosovo, and welcomes the work of the Special Representative Mr. Søren Jessen-Petersen, as well as that of Mr. Eide. We also share the analysis of the political situation the report presents, which shows that lessons have been learned from the March events, but that there is still much progress to be made. The measures necessary to achieve this progress require sustained commitment from all parties involved.

My country supports the idea of a comprehensive and integrated strategy for Kosovo, because, for the moment, there seems to be no other way to unite local players and the international community for the purpose of defining the future status of Kosovo. As well, Switzerland supports the approach of addressing the question of Kosovo within the overall context of the region and in the framework of a dialogue involving all the communities concerned, in particular the Kosovo Serbs, especially because the region's political calendar will be very full in 2005. There will be important elections and equally important constitutional discussions.

As underlined by the report of the Secretary-General (S/2004/907), ensuring the economic future of Kosovo is an indispensable precondition for ensuring stability in the region. Improving the economic situation requires not only creating conditions favourable to economic development but also strengthening political and civil-society institutions.

A lasting political settlement of the question of Kosovo remains a key element for stability in South-East Europe. Switzerland is particularly concerned by the fact that a significant number of Kosovo Albanians and others from the former Yugoslavia in general have settled in our country. That is why my country remains strongly engaged in Kosovo. Switzerland is especially engaged in the areas of consolidating local democracy and decentralization and strengthening mechanisms to ensure the protection of minorities. Thanks to the experience gained in the region over the past decade, Switzerland remains prepared to enhance its already active role in promoting dialogue between Pristina and Belgrade, as well as among the various communities.

The future of Kosovo is first and foremost in the hands of the Kosovars themselves and depends on their willingness to live in peace and to respect and protect minorities. The events of March must never recur. At the same time, the future of Kosovo depends also on the international community's preparedness to contribute to finding a solution to the question of the province's status that is viable and acceptable to all parties. Switzerland calls on States to establish a good process.

To be sure, UNMIK's work is still far from finished, as is the work of Kosovo Force, which has the crucial role of ensuring security for the population. Switzerland reaffirms its full support for those missions.

The President: The next speaker inscribed on my list is the representative of Japan. I invite him to take a seat at the Council table and to make his statement.

Mr. Kitaoka (Japan): I would like to thank you, Madam President, for convening today's public

meeting. I would also like to express Japan's sincere appreciation for the efforts of all parties concerned, especially those of Mr. Søren Jessen-Petersen and his staff.

Japan is pleased that the election for the Kosovo parliament was held democratically and without major incident on 23 October. However, from the perspective of ethnic reconciliation in Kosovo, it is regrettable that most of the Serb electorate did not participate in the election. We hope that, based on the results of the election, new Provisional Institutions of Self-Government will be established and start fulfilling their mandated tasks as soon as possible. We also call on Kosovo Serbs and on the Government of Serbia to join in a constructive manner the discussion on the creation of a multi-ethnic and democratic Kosovo.

We believe that the recommendation the Secretary-General submitted to the Security Council based on the report of Ambassador Eide deserves our utmost attention. My Government recognizes that the most important goal of the international community is the creation of a multi-ethnic and democratic society in Kosovo and that it should be realized through implementation of the "standards before status" policy. On the other hand, the violence that occurred in March indicates that the current situation is unsatisfactory not only for Serbs but also for Albanians in Kosovo. In order to improve that situation, it is essential that multiple strategies, including the recalibration of the standards policy and the rehabilitation of the economy, be implemented effectively. From that viewpoint, we would like to express our support for the recommendation of the Secretary-General.

The comprehensive and integrated strategy incorporates a number of different elements, but we wish to state our view today with regard to the matter of the recalibration of the standards policy. We believe that all international institutions must pay attention to outside opinions concerning their policies and strategies, but the Security Council has a special obligation in that regard. Ambassador Eide stated in his report that the current "standards before status" policy lacks credibility, and we must face that criticism head on. The Secretary-General's call for recalibration of the standards policy is therefore of great significance. Needless to say, the recalibration must be implemented in such a way as to give the right momentum and direction to the political process in Kosovo. We wish to reiterate, however, that, as the recommendation of the Secretary-General made clear, implementation of the standards is, above all, for the benefit of Kosovo and its people. That is why we are compelled to express our concern in response to the Secretary-General's observation that the progress made so far in implementing the standards has been limited.

Japan has repeatedly stated its view that, in order to create a multi-ethnic and democratic Kosovo and realize the consolidation of peace, it is essential to tackle the problems of economic difficulties, security and sustainable returns. We therefore highly appreciate the emphasis that the comprehensive and integrated strategy has placed on formulating a more robust economic development policy involving both short-term and long-term measures, strengthening efforts to deal with the causes and consequences of the March violence, sustainable returns and cooperation on improvement of the security situation and freedom of movement.

Japan regards two criteria as key to the success of the comprehensive and integrated strategy. First, the people in Kosovo should take ownership. And secondly, the relevant international institutions, such as the United Nations Interim Administration Mission in Kosovo (UNMIK), must function efficiently. We hope that the staff of UNMIK, led by Mr. Søren Jessen-Petersen, as well as the staffs of other agencies, will keep those two points in mind as they proceed with their activities.

In April, Japan co-hosted the Ministerial Conference on Peace Consolidation and Economic Development of the Western Balkans, based on our firm belief that stabilizing the region, including Kosovo, is crucial for the stability of the entire region. We wish to reaffirm our commitment to the region, including our intention to provide assistance, in cooperation with the entire international community, in advancing the Kosovo Standards Implementation Plan.

The President: The next speaker on my list is the representative of Albania. I invite him to take a seat at the Council table and to make his statement.

Mr. Nesho (Albania): At the outset, allow me to congratulate you, Sir, on your assumption of the presidency of the Security Council and on the excellent work that your delegation has done this month.

Our delegation commends the report of the Secretary-General and believes that the

recommendations of the Secretariat and of the Security Council will find the necessary support and will guide future activities in Kosovo.

We commend the Secretary-General for his foresight as concerns the proposed measures relating to priority of action in the framework of the standards policy for Kosovo and for his inclusive approach to the evaluation of Ambassador Eide's report.

Albania welcomes the impressive start made by Mr. Søren Jessen-Petersen in the position of Special Representative of the Secretary-General and takes this opportunity to thank him for the effective and high-quality work he has accomplished since the very beginning and for the great effort he has made to move forward the implementation of resolution 1244 (1999).

The elections held in Kosovo this past October have rightly been assessed as an important moment with a positive impact on developments in the near future. The parliamentary elections of 23 October were free and fair and held in accordance with the criteria of a democratic system. That election demonstrated once again the political willingness and proper engagement of the Kosovar Albanians in the process of achieving a democratic and stable Kosovo.

After the disheartening events of March 2004 in Kosovo, this was the first time that the local authorities were directly engaged and had the responsibility of organizing the elections, whose outcome revealed once again the leadership capabilities of local government in Kosovo. That significant accomplishment is an important step towards building a free, multi-ethnic and democratic society in Kosovo.

We regret the fact that the Serbian community did not participate in the elections, as we had wished and expected, due to the negative influence of some nationalist and religious circles still influential in Belgrade. Nevertheless, the existing legislation in Kosovo does guarantee a number of seats for minority representatives, leaving the door open for the Kosovo Serb representatives and enabling them to directly exercise their right to protect their own community interests, as the representatives of other minority groups are already doing.

The new institutions formed after the elections will face challenges in the next four years, and we believe that their priority attention will be effectively focused on the realization of the required standards for Kosovo. We commend the establishment of a dialogue among the different communities in the pre-election period. Unfortunately, that dialogue did not continue during or after the election, because of the pressure exercised by outside political factors.

In that regard, we consider of great importance the revitalization of that welcome dialogue, in the strong belief that this will increase inter-ethnic relations and cooperation. The revitalization of that important bridge of communication will positively affect the political dialogue between Pristina and Belgrade.

This coming year will be of great importance for Kosovo, especially with regard to the speed with which it will approach its European future. That process, which we believe will be affected by the expected realization of the standards achieved, requires the serious and full engagement of the democratic institutions and civil society of Kosovo and of all the other actors who are seriously interested and involved in the quest to achieve a peaceful and stable region.

What we expect from Kosovo is a free, multi-ethnic and democratic society, with full respect for minorities and human rights, the return of displaced persons and their integration into society, and the strengthening of the rule of law, which will surely be a real contribution towards the stability and security of the region. In order to achieve that benchmark, it is crucial that the necessary space be created for dialogue and understanding and for the elaboration of cooperation policies which should be developed independently, away from the political debate on the future status of Kosovo.

The economic development of Kosovo is strongly and directly related to its future. We welcome the affirmation of that crucial factor in Ambassador Eide's report and fully support the evaluation of the current situation in Kosovo. We support the development and the implementation of an economic plan, with the engagement of the international institutions and the Provisional Institutions of Kosovo.

The final status of Kosovo is part of a broad and multidimensional process that has already started and involves a number of players. Each of them has its own place and is offering its own contribution. In these circumstances, we believe that the decision on the final status of Kosovo, to be taken by the Security Council, has to take into account the will of the Kosovar people.

We are of the opinion that a decision on the future status of Kosovo should go beyond regional round tables and should be decided in a measured and determined way by the international community, thereby fostering peace and stability in the region.

Last but not least, our delegation commends the excellent statement made today by the British representative, Sir Emyr Jones Parry, which not only reflected a good understanding of the situation on the ground but also wisely and realistically put forward some of the duties and responsibilities that should be undertaken by all the players in the region; indeed, a simple emotional response will hardly suffice.

The President: The next speaker inscribed on my list is the representative of Norway. I invite him to take a seat at the Council table and to make his statement.

Mr. Strømmen (Norway): Let me start by thanking Special Representative Søren Jessen-Petersen for his very comprehensive briefing.

Norway aligns itself with the statement made just a few moments ago by the Ambassador of the Netherlands on behalf of the European Union. In addition, I would like to make the following observations.

The Secretary-General's report to the Security Council clarifies the challenges facing the Kosovars as well as the international community in Kosovo. Norway supports the continued efforts outlined in the report to implement European standards in Kosovo. The report underscores the need for setting priorities in the standards-implementation process, as well as for a more systematic programme of competence-building and transfer of responsibilities to local institutions. We fully support those recommendations.

At the same time, Norway also fully concurs with the Secretary-General's recommendation that there be a greater degree of accountability on the part of the Kosovo institutions. The United Nations Interim Administration Mission in Kosovo (UNMIK) must maintain effective oversight and mechanisms for remedial action, should that be necessary.

Stability in the western Balkans is of continued importance for Europe as a whole. It is therefore important that the Kosovo issue be dealt with in a way that does not lead to renewed violence or regional destabilization. While economic development is important for stability, so, too, is the need for a greater effort for inter-ethnic dialogue and reconciliation. Norway supports greater efforts to foster local initiatives for community-based inter-ethnic dialogue and reconciliation.

Serb participation in the political and administrative life of Kosovo is important if Kosovo is to be truly multi-ethnic. The Kosovo Albanian political leadership should take the lead in supporting local community reconciliation. It should actively promote public policies, such as local administration reform, that involve, empower and benefit all communities. Such policies will also indirectly foster an environment of security.

It is vital that the legitimate interests of all communities in Kosovo be taken duly into account. First and foremost, all inhabitants must be ensured full respect for their human and civil rights. That includes the security of individuals and communities alike.

Norway commends the Kosovo Central Elections Commission and its staff on the well-organized Assembly elections that were held on 23 October. The fact that the elections were conducted in a peaceful and orderly manner gives rise to optimism.

However, we regret the very low turnout of Serb voters in those elections. We believe that such non-participation is detrimental to the best long-term interests of the Serbian community in Kosovo. Self-isolation will not bring any benefit, but only exacerbate the challenges facing all those who are committed to a democratic and multi-ethnic Kosovo.

We trust that the new cabinet, when it has been constituted, will work together with UNMIK, the Organization for Security and Cooperation in Europe, the Council of Europe and others to implement European standards and resolution 1244 (1999) in Kosovo. We take it for granted that the new Government will be a Government for all inhabitants, whatever their ethnic background.

Democracy and multi-ethnicity cannot be achieved until all communities in Kosovo feel that their rights, aspirations and concerns are fully respected and adequately addressed by their neighbours and Kosovo institutions. Kosovo continues to suffer from a deficit of mutual trust and respect between communities. That is perhaps the predominant challenge facing Kosovo today.

Authorities and political leaders in Kosovo must publicly demonstrate their commitment to the security of all inhabitants of Kosovo, irrespective of nationality. Sustainable security for all communities in Kosovo is first and foremost the responsibility of Kosovar political leaders. The international community can help, but respect for the inalienable right to security can derive only from a more widespread mentality of respect and tolerance among the inhabitants of Kosovo.

In that regard, it is important to once again emphasize the responsibility of all political leaders, elected officials and civil servants at both the municipal and Kosovo-wide levels. The Provisional Institutions of Self-Government must ensure that the human and civil rights and legitimate interests of all communities are taken seriously and addressed in a manner compatible with European standards.

Preparations must commence for a discussion of Kosovo's future status. As Ambassador Eide has pointed out, there will never be an ideal time for discussions on status. Discussions will be difficult. It will be vital to include Belgrade in that process. Discussions must also to the fullest extent possible safeguard the human, minority and civil rights of all inhabitants of Kosovo.

Norway will continue its support for the Special Representative's agenda for development and stability in Kosovo.

The President: I give the floor to the representative of Serbia and Montenegro to make a brief additional statement.

Mr. Ćović (Serbia and Montenegro) (*spoke in Serbian; interpretation provided by the delegation*): I am duty-bound to make some additional remarks on certain issues that have been raised by representatives here.

I am grateful for this discussion and wish to say, on behalf of the Council of Ministers of Serbia and Montenegro and the Government of the Republic of Serbia, that we support the report of Ambassador Eide and consider it to be a very important document. Neither I, nor the Government of the Republic of Serbia, nor the Council of Ministers of Serbia and Montenegro has ever endorsed the idea of partitioning Kosovo and Metohija. We believe that the future of Kosovo and Metohija lies neither in partition nor in an independent Kosovo. There will be no future for Kosovo and Metohija if over 200,000 people are prevented from returning to their homes. They have waited for the moment of return for almost five years now and I do not know which institution will end up paying the price for the fact that the twenty-first century has come but they have yet to do so.

We fully support the idea of Serbian participation in truly multi-ethnic institutions in Kosovo and Metohija, and I believe that the Security Council has seen that in practice. The Serbs participated in the 2001 and 2002 elections; representatives of Kosovo Serb ethnic communities have been outvoted in the Provisional Institutions of Self-Government and have had to be escorted to the Assembly in armoured vehicles. This is not about obstruction or an unconstructive approach. We have fought very hard for Serb participation in those institutions.

I must make it very clear that no Kosovo Serb has the right to participate in the creation of an independent Kosovo, but, after five years of stagnation and of being prevented from returning to its homes, the Serbian ethnic community has no reason to believe certain statements made by members of the international community. As to the future status of Kosovo and Metohija, the optimal solution will not be one that gives everything to one ethnic community and deprives another of everything else.

Since I began working on the Kosovo issue in 2001, I have sat in on seven of these meetings. I have cooperated closely with Mr. Haekkerup, Mr. Steiner and Mr. Holkeri and am prepared to do the same with Mr. Jessen-Petersen, who recently assumed his new post. I have seen and heard a great deal of comprehensive and constructive reports, but violence nonetheless erupted on 17 March. The situation in Kosovo is not good and we are eager to help the international community improve conditions there, but the cooperation must be reciprocal. We cannot accept the idea that everything that comes from Belgrade is not good because it comes from Belgrade. I will never hesitate to claim responsibility when there are solid grounds for doing so, but I cannot allow some people to misrepresent the truth unchallenged. If some say that stating the truth is taking the emotional path, then so be it. The fact is, some very bad things are happening under the protection of the international community.

We are fully prepared to cooperate with the international community. I am pleased that the Council

finds the elections to have been a great success, but they were a failure from the ethnic point of view and I regret that fact. Belgrade could have urged the Serbs to participate in the elections, but I am afraid that the turnout would have been no higher. I encouraged them to participate in 2001, but I assure the Council that we would have been unable to repeat the performance this time.

With regard to economic development, we are fully prepared to cooperate, but we urge the international community to implement a privatization process that is fair, fully respectful of property rights and implemented in an ethnically unbiased manner.

With respect to the accusation concerning certain measures taken by the Serbian Orthodox Church, I assure the Council that the Church has always been most cooperative. The situation is extremely complex, particularly when some people are trying to deny that this is the Serbian religious heritage and some people are trying to call it something different. I hope that, working together, we will be able to rebuild those religious sites. As the Council is aware, we condemn in the strongest possible terms setting fire to the mosques in central Serbia.

With regard to the way to proceed on cooperation, we must go back to the Working Groups. We must also raise the question of who will have the authority to decide whether or not there has been enough progress. It cannot be only the international community or the Special Representative of the Secretary-General, because, you understand, Kosovo is formally part of Serbia and Montenegro, so we must have a word in this.

We fully support a constructive approach but we also believe that any attempt to nominate individuals of questionable militant background is not a good way to proceed. It would make dialogue much more difficult. My concern is that by trying to nominate such people for these high positions, someone is trying to obstruct further resumption of the dialogue. We are more than interested in including the Serbs in the dialogue, but not as window-dressing, but in an efficient and constructive way.

I would like to assure you that the international community and Mr. Petersen, like all his predecessors, will have full support from Belgrade in his efforts. However, I also urge you to bear in mind that Belgrade's situation is as complicated as Pristina's. I hope that by working jointly we will be able to make real progress for the whole region.

The President: I shall now give the floor to the Special Representative to respond to comments and questions.

Mr. Jessen-Petersen: I shall try to be brief so as to wrap up the debate. I want to thank all the members of the Council and the other speakers for their expressions of very strong support for our comprehensive integrated strategy, our proposed way forward and our proposed timetable.

I was asked why I am more optimistic at this stage than my predecessors. I am not optimistic that there is a change. I am hopeful. Why? Many of you have referred to the March events. We all agree that they were deplorable, regrettable, and clearly must not be allowed to happen again. March was a setback for Kosovars, the international community, indeed for all of us, but I believe that March was also a turning point since we all understand, the political leaders on the ground, the people on the ground understand we cannot allow this to happen again. But it also brought home to us clearly that we also cannot continue to manage Kosovo as a holding operation. The very uncertainty is unhelpful for stability not only in Kosovo, but in the entire region. That is why we decided to put an emphasis on priorities in the standards. What went wrong in March were all the issues linked to the interests of the minorities, of multi-ethnicity, so we have decided to focus on all the relevant minority issues. They have been mentioned here very often and strongly supported: security, freedom of movement, return of displaced persons, protection of minorities and decentralization.

By focusing on those very priorities of direct relevance to the minorities, we are drawing a link between March and the review of mid-2005. We are saying that only if there is demonstrable, visible, clear improvement in all those areas, will we move towards a positive assessment of progress on standards. We are thus also saying that we can neither maintain Kosovo as a holding operation, nor reward violence, because we need to see action on everything that went wrong in March. That's why I believe that there is today a clear understanding on the part of all political leaders but also the people of all ethnicities in Kosovo, of what needs to be done now.

I am also hopeful because we have introduced regular technical assessments on progress. Those technical assessments, of which the first is in front of you, will allow us to do two things: first to try and push the process forward, and, secondly and equally important, to manage expectations. In other words we have to make sure that there is sufficient progress, but also be ready to point out if it is insufficient. Our technical assessments will be realistic and honest, as was our first, which pointed out that progress has been uneven. It is also very clear that it is only in the case of a positive assessment of sufficient progress that we will be able to embark on a process leading towards status talks.

To make sure that we do not fail, accountability is very important. It has been referred to and I welcome the many statements here supporting my initiative now to focus on accountability. We have drawn up a policy on the ground in order to make sure that we conduct this policy in a clear, consistent and credible way. But we will hold non-performing authorities accountable, regardless of ethnicity. That is another way to hold the Government and others accountable for progress in implementing standards.

Progress in decentralization is one of the priorities. I welcome the strong statements of support for decentralization. I believe decentralization is one of the most important ways to bring in the minorities and to address their legitimate concerns for security and necessary institutional protection. That is why it is so important that the Kosovo Serbs participate in the working group on decentralization. It is, as much as anything, their concerns and their interests we wish to address, not just in words but in action.

Indeed, progress over the next six months requires that we reach out to the Kosovo Serbs, that the majorities reach out to the Kosovo Serbs. It also requires their active engagement in the dialogue, as well as a regular, constructive and active dialogue with Belgrade at all levels and on all issues. I must say, I welcome Mr. Ović's commitment to continue cooperating with UNMIK. I am also strongly committed to continuing that dialogue.

The Council today, and I am grateful for that, has sent a clear message to the Provisional Institutions and to all the people of Kosovo about what you expect and what they have to do to move determinedly on implementing standards and reach out to the minorities. The Council has also sent a very encouraging message of commitment and support. In Kosovo, I think that this message will also be received as a message of hope that we are on the right track, we are moving forward and we have a clear goal ahead of us. We need those strong statements of support. We have listened very carefully, and I want to thank you, Mr. President, and the Council for the very helpful and encouraging words of support and the many relevant observations. We have listened, we will act upon them, and I look forward to being back here again, in about three months.

The President: I thank the Special Representative for the clarifications he has provided in his closing statement. There are no further speakers inscribed on my list. The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

The meeting rose at 1.50 p.m.